

SUPERIOR COURT CRIMINAL DOCKET
(as of 04/26/2002)

Page

State of Delaware v. ARTURO LABOY
 State's Atty: THOMAS A STEVENS , Esq.
 Defense Atty: JOHN H MCDONALD , Esq.

AKA:

DOB: 07/15/196

| No. | Event Date | Event | Judge |
|-----|---------------|--|------------------|
| | 02/08/1994 | SHERIFF'S COSTS FOR SUBPOENA'S DELIVERED | |
| | 02/09/1994 | SHERIFF'S COSTS FOR SUBPOENA'S DELIVERED | |
| | 02/14/1994 | SHERIFF'S COSTS FOR SUBPOENA'S DELIVERED | |
| | 02/15/1994 | CRIMINAL TRIAL CALENDAR - RESCHEDULED | COOCH RICHARD R. |
| | 02/15/1994 | CRIMINAL TRIAL CALENDAR - TRIAL | COOCH RICHARD R. |
| 17 | 02/15/1994 | JURY TRIAL THROUGH 021894. THE JURY FOUND DEFT GUILTY AS TO ASSAULT 1ST DEGREE LIO (0454), GUILTY AS TO PDWDCF (0455), NOT GUILTY AS TO BURGLARY 2ND DEGREE (0456), GUILTY AS TO ASSAULT 2ND DEGREE (0457), GUILTY AS TO PDWDCF (0458 GUILTY AS TO STALKING (0459), & GUILTY AS TO TERRORISTIC THREAT. (0460). PSI ORDERED. SENT.051394 AT 10:30 AM. S/JENNINGS, STEVENS. D/CAPONE, CR/J.WHITE, CR/ROGERES, CARNEY, CREW. JURY SWORN. DCB | BARRON NORMAN A. |
| | 05/13/1994 | SENTENCING CALENDAR - DEFENDANT SENTENCED | BARRON NORMAN A. |
| 19 | 05/13/1994 | SENTENCE AS TO P93040454, TIS THE DEFT. IS ADJUDGED GUILTY OF THE OFFENSE CHARGED. THE DEFENDANT IS TO PAY COSTS OF PROSECUTION. EFFECTIVE NOVEMBER 1, 1992 THE DEFENDANT IS PLACED IN THE CUSTODY OF THE DEPARTMENT OF CORRECTION AT SUPERVISION LEVEL 5 FOR A PERIOD OF 10 YEARS . IF THE DEFENDANT IS PRESENTLY SERVING ANOTHER SENTENCE, THAT SENTENCE SHALL BE SUSPENDED UNTIL COMPLETION OF THIS SENTENCE. | BARRON NORMAN A. |

EXHIBIT (3)

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State of Delaware v. ARTURO LABOY
 State's Atty: THOMAS A STEVENS , Esq.
 Defense Atty: JOHN H MCDONALD , Esq.

AKA:

DOB: 07/15/1967

| No. | Event Date | Event | Judge |
|-----|---------------|--|-------|
| | | ORDER (SUPREME COURT) NOW, THEREFORE, IT IS ORDERED PURSUANT TO SUPREME COURT RULE 29(B) THAT THIS APPEAL BE, AND THE SAME HEREBY IS DISMISSED. | DF |
| 40 | 02/26/2001 | MOTION FOR REDUCTION OF SENTENCE FILED. JEROME CAPONE, ESQ. REFERRED TO JUDGE BARRON ON 022801. | |
| 41 | 02/27/2001 | BARRON NORMAN A. ORDER: NOW TO WIT, THIS 27TH DAY OF FEBRUARY, 2001, THE FOREGOING MOTION FOR REDUCTION OF SENTENCE HAVING BEEN READ AND CONSIDERED, IT IS HEREBY: ORDERED, THAT THE DEFENDANT'S MOTION FOR SENTENCE REDUCTION IS HEREBY GRANTED - IN PART. SENTENCE IMPOSED IN IN93-04-0458 IS REDUCED FROM 20 YEARS AT LEVEL 5 TO 5 YEARS AT LEVEL 5. | |
| 42 | 03/05/2001 | ABLEMAN PEGGY L. ORDER: MOTION FOR REDUCTION OF SENTENCE IS DENIED. THE MOTION WAS FILED MORE THAN 90 DAYS AFTER IMPOSITION OF THE SENTENCE AND IS THEREFORE TIME-BARRED. THE SENTENCE IS APPROPRIATE FOR ALL THE REASONS STATED AT THE TIEM OF SENTENCING. | |
| 43 | 03/20/2001 | MOTION TO VACATE ORDER FILED. ANDREW VELLA, DAG. REFERRED TO JUDGE ABLEMAN ON 032001. | |
| 44 | 03/21/2001 | ABLEMAN PEGGY L. ORDER: AND NOW, TO WIT, THIS 21ST DAY OF MARCH, 2001, THE FOREGOING MOTION TO VACATE ORDER HAVING BEEN READ AND CONSIDERED, IT IS ORDERED THAT THE COURT'S ORDER DATED FEBRAURY 27, 2001 SIGNED BY JUDGE BARRON IS HEREBY VACATED. NOTICE SHALL BE SENT TO THE DEPARTMENT OF CORRECTIONS INFORMING THEM THAT THE COURT'S FEBRUARY 27, 2001, ORDER GRANTING THE DEFENDANTS MTOION FOR REDUCTION OF SENTENCE HAS BEEN VACATED AND THAT THE ORIGINAL SENTENCING ORDER DATED MAY 13, 1994, IS STILL IN EFFECT AND IS CONSISTENT WITH THIS JUDGE'S 3/2/01 ORDER AS THE ORIGINAL OF THE MOTION WAS FORWARDED TO THIS JUDGE. | |
| 45 | 03/22/2001 | DEFENDANT'S RESPONSE FILED. STATE'S MOTION TO VACATE ORDER. JEROME CAPONE, ESQ. | |

*** END OF DOCKET LISTING AS OF 04/26/2002 ***
 PRINTED BY: CSCVELL

EXHIBIT (8)

024

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

STATE OF DELAWARE,

vs.

ARTURO LABOY,

Defendant

93003649 DI

Criminal Action No.
IN93-04-0454: 0055
IN93-04-0457: 0460

May 13, 1994

JUN 30 P1:35

FILED PROTHONOTARY

BEFORE: HONORABLE NORMAN A. BARRON, J.

APPEARANCES:

THOMAS A. STEVENS, ESQ.
Deputy Attorney General
For the State

JEROME M. CAPONE, ESQ.
For the Defendant

SENTENCING

ORIGINAL

B 01

Exhibit 3²